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From Stephen D. Harper

Dept.

Pages 7 (including cover page)  
Date April 4, 2005

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Docket No.: H'5165 PCT/US  
RE: Wolff et al.  
Application No.: 10/691,427  
Examiner: Eisa B. Elhilo  
Grp./Art Unit: 1751  
Confirmation No.: 7828

- Request for Continued Examination (RCE) Transmittal (1 page)
- Processing Fee Transmittal (1 page)
- (1) Month Extension of Time (1 page)
- Supplemental Information Disclosure Statement (2 pages)
- PTO-Form 1449 (1 page)

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<b>Request For Continued Examination (RCE) Transmittal</b>  Address to Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Application Number	10/691,427
	Filing Date	October 22, 2003
	First Named Inventor	Wolfgang WOLFF
	Art Unit	1751
	Examiner Name	Eisa B. Elnito
	Attorney Docket Number	H 5165 PCT/US

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This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See instruction sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

ii. ☐ Other \_\_\_\_\_

b. ☒ Enclosed

i. ☐ Amendment/Reply

iii. ☒ Information Disclosure Statement (IDS)

ii. ☐ Affidavit(s)/Declaration(s)

iv. ☒ Other: (1) Month Extension of Time Processing Fee Transmittal

2. **Miscellaneous**

a. ☒ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of three months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. ☐ Other \_\_\_\_\_

3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 01-1250, Order No. 05-0139. I have enclosed a duplicate copy of this sheet.

i. ☒ RCE fee required under 37 CFR 1.17(e) (\$790, Order No. 05-0139)

ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17) (\$120, Order No. 05-0140)

iii. ☒ Other Processing Fee (37 CFR 1.17(i) (\$130, Order No. 05-0141))

b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED			
Signature	<i>Stephen D. Harper</i>	Date	4/4/05
Name (Print/Type)	Stephen D. Harper	Registration No.	33,243

CERTIFICATE OF MAILING OR TRANSMISSION			
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to (703) 872-8306 at the U.S. Patent and Trademark Office on the date shown below.			
Signature	<i>Iris M. Grogins</i>	Date	4/4/05
Name (Print/Type)	Iris M. Grogins		

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

<b>PROCESSING FEE</b> <b>Under 37 CFR 1.17(i)</b> <b>TRANSMITTAL</b> (Fees are subject to annual revision) Mail Stop RCE, Commissioner for Patents P.O. Box 1450, Alexandria, VA 22313-1450	Application Number	10/691,427
	Filing Date	October 22, 2003
	First Named Inventor	Wolfgang WOLFF
	Art Unit	1751
	Examiner Name	Eisa B Eihilo
	Attorney Docket Number	H 5165 PCT/US

Enclosed is a paper filed under 37 CFR § 1.114 [§1.103(c)] that requires a processing fee (37 CFR 1.17(i)).

Payment of \$\_\_\_\_\_ is enclosed.

This form should be included with the above-mentioned paper and faxed or mailed to the Office using the appropriate Mail Stop if applicable. For transmittal of petition fees under 37 CFR 1.17(f), (g) or (h), see form PTO/SB/17p.

**Payment of Fees** (small entity amounts are NOT available for the petition fees)

- ☒ The Commissioner is hereby authorized to charge the following fees to Deposit Account No. 01-1250:
- ☒ processing fee under 37 CFR 1.17(i)    ☒ any deficiency of fees and credit of any overpayments
- Enclose a duplicative copy of this form for fee processing

☐ Check in the amount of \$\_\_\_\_\_ is enclosed

☐ Payment by credit card (Form PTO-2038 or equivalent enclosed). Do not provide credit card information on this form

**Processing Fees under 37 CFR 1.17(i): Fee \$130**    **Fee Code 1808 for all,**  
**Except for § 1.221 papers (Fee Code 1803)**

For papers filed under

- § 1.28(c)(3) - for processing a non-terminated fee deficiency based on an error in small entity status
- § 1.41 - for supplying the name or names of the inventor or inventors after the filing date without an oath or declaration as prescribed by § 1.63, except in provisional applications.
- § 1.48 - for correcting inventorship, except in provisional applications
- § 1.52(d) - for processing a nonprovisional application filed with a specification in a language other than English
- § 1.53(b)(3) - to convert a provisional application filed under § 1.53(c) into a nonprovisional application under § 1.53(b)
- § 1.55 - for entry of late priority papers
- § 1.99(e) - for processing a belated submission under § 1.99
- § 1.103(b) - for requesting limited suspension of action, continued prosecution application (§ 1.53(d))
- § 1.103(c) - for requesting limited suspension of action, request for continued examination (§ 1.114).
- § 1.103(d) - for requesting deferred examination of an application
- § 1.217 - for processing a redacted copy of a paper submitted in the file of an application in which a redacted copy was submitted for the patent application publication.
- § 1.221 - for requesting voluntary publication or republication of an application. Fee Code 1803
- § 1.291(c)(5) - for processing a second or subsequent protest by the same real party in interest.
- § 1.497(d) - for filing an oath or declaration pursuant to 35 U.S.C. 371(c)(4) naming an inventive entity different from the inventive entity set forth in the international stage
- § 3.81 - for a patent to issue to assignee, assignment submitted after payment of the issue fee.

  
 \_\_\_\_\_  
 Signature

Stephen D. Harper  
 \_\_\_\_\_  
 Typed or printed name

4/4/05  
 \_\_\_\_\_  
 Date

33,243  
 \_\_\_\_\_  
 Registration No., if applicable

This collection of information is required by 37 CFR 1.17. The information is required to obtain or retain a patent by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 5 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

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